

begin to rebuild our crumbling infrastructure with our tax dollars as opposed to a nation far across the sea. I urge my colleagues to support the American Parity Act.

#### FRANKIE MAYO MAKES A DIFFERENCE

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, I rise today to express appreciation to a true American hero, Frankie Mayo. Frankie's son, Corporal Christopher Tomlinson, is serving in Iraq as part of the 300th Military Police Company, which is based in my district, Fort Riley, Kansas.

Frankie, like all military mothers, is proud of her son's service. What makes Frankie different is what she is doing to care for her son and the soldiers serving alongside him. In an e-mail to his mom, Corporal Tomlinson jokingly asked for an air conditioner to combat the scorching desert heat. Much to his surprise, a package arrived containing air conditioners, along with other units for others serving with him and his company. This news resulted in hundreds of requests for air conditioners. With the help of individuals and corporate donations, Frankie and her family have shipped hundreds of units to soldiers in Iraq.

I rise today to thank Frankie, but also point others to her example. Frankie's dedication is a perfect example of how we can make a difference in the lives of those around us.

#### 2-YEAR ANNIVERSARY OF SEPTEMBER 11

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, 2 years ago cowardly terrorists attacked our Nation, killing innocent Americans who were simply going about their daily lives, and the aim of those terrorists was to change America. Well, the terrorists did change America, but not how they had hoped, because they renewed our patriotic pride for our Nation and what it stands for. They steeled our resolve and commitment to defeat the enemies of freedom.

The true spirit of America is not to run away from a fight or wring our hands. Our true spirit was shown by the brave firefighters and police officers who charged into those burning towers to save fellow citizens. Our true spirit has been reflected by our men and women in uniform who have toppled the Taliban and Saddam Hussein bringing freedom to Afghanistan and Iraq.

My message to the terrorists is this: You have failed. America's spirit has been strengthened, our purpose re-

newed, our dedication to freedom is stronger than ever. God bless America.

#### SUCCESS IN THE WAR ON TERRORISM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, tomorrow is the 2-year anniversary of the most heinous act of war this Nation has ever experienced. The September 11 attacks were made against unarmed Americans by a sadistic terrorist network beginning the war on terrorism.

Today we are winning that war. Realizing the seriousness of the threat of our freedoms and liberties, our Commander in Chief, President Bush, has displayed true courage and leadership in hunting down terrorists all over the world and bringing them to justice. First by bringing down the barbaric Taliban in Afghanistan, and then by ending the evil regime of Saddam Hussein in Iraq, the men and women of our Armed Forces have eliminated the terrorist breeding grounds while bringing freedom to millions. Today, over 90 countries are part of the coalition against terrorism. Although we cannot predict the end of the war, we are thankful in 2 years since the 9/11 attacks there have not been other major attacks at home. While our Nation's resolve will be tested, I have faith with the President and his cabinet, we will continue winning the war on terrorism. May God bless our troops.

#### REMEMBERING SEPTEMBER 11

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, before September 11, 2 years ago, this Nation was unaware that terrorists were planning the most deadly attack in our history. Nearly 3,000 men, women and children were killed in an act of war, the most horrific act of violence many of us have ever seen.

Tomorrow we will honor their memory. We should never forget why they died, because the agents of evil could not stand the freedom that our country represents. These enemies of freedom believed that we lacked the will to oppose them. They attacked our country and declared war on our way of life. Their intent is not our defeat, their intent is our destruction. I am proud of the way this country responded. I am proud of our troops who fought bravely to bring freedom to so many, and I am proud of our Commander in Chief who has led us in the war against terror with a steady hand. On this second anniversary, let us renew our resolve to rid the world of terrorism.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHAW). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken later today.

#### RESTORING OPERATION OF THE NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM DURING FISCAL YEAR 2003 TO SCOPE IN EFFECT ON SEPTEMBER 30, 2002

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2595) to restore the operation of the Native American Veteran Housing Loan Program during fiscal year 2003 to the scope of that program as in effect on September 30, 2002.

The Clerk read as follows:

H.R. 2595

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. OPERATION OF NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM.

(a) RESTORATION FOR FISCAL YEAR 2003 TO FISCAL YEAR 2002 LEVEL.—In carrying out the pilot program provided by subchapter V of chapter 37 of title 38, United States Code, under which the Secretary of Veterans Affairs is authorized to make direct housing loans to Native American veterans, the Secretary shall during fiscal year 2003 carry out that program without regard to the proviso under the heading "Native American Veteran Housing Loan Program Account" in title I of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 (division K of Public Law 108-7; 117 Stat. 476), and such proviso shall be treated as being of no force or effect.

(b) SAVINGS PROVISION.—Any action taken by the Secretary of Veterans Affairs before the enactment of this Act that is inconsistent with the proviso referred to in subsection (a) is hereby ratified with respect to such inconsistency.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. EVANS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation would restore the operation of the Native American Veteran Housing Loan Program during the current fiscal year to the scope of that program as it was in effect on September 30, 2002.

The Native American Veteran Home Loan Program was established in 1992 as a 5-year pilot program, and Congress has extended it twice, most recently through 2005. This program is intended to assist eligible veterans living on trust or equivalent lands to secure

loans at market rates to purchase, build or to renovate homes. VA has made over 300 home loans under this program. The Department of Veterans Affairs has stopped making loans under the Native American direct loan program because of a limitation contained in the 2003 Appropriations Act, which capped the amount of loans that can be made under this program to \$5 million. This limitation was requested by the administration with the assumption that the limit would not be breached. VA advised us as of June 11 in a letter that it has already exceeded that limit.

Mr. Speaker, 47 loans have already been made during the fiscal year, many of them refinancing loans. The VA committee has been advised that construction of a number of homes has been suspended directly attributable to the imposition of this moratorium. Pending applications are also on hold. I see no reason, in effect, why our Native American veterans should lose access to home loans in this way. We should celebrate their success, not put an artificial cap on it, especially at a time when refinancing is a way to save veterans thousands of dollars each and every year. We need to end this moratorium as soon as possible, and that is the purpose of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. EVANS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution. This will correct the terrible error that is depriving Native American veterans access to home loans under the Native Americans Veterans Housing Program.

While the necessary funding for this loan program has already been appropriated, the administration requested a cap of \$5 million on the loans of fiscal year 2003. By the time that fiscal year 2003 appropriations bill was signed, the cap had already been exceeded. Some Native Americans in Hawaii have partially built their homes but now are unable to complete that construction. This is no way to treat the brave Americans who fought for our country. This is a mistake that must be corrected now. Mr. Speaker, this bill would simply remove the existing cap on expenditures under this program. No additional funding is needed to restore the program to its original intent. I urge all Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. RENZI), a member of the Committee on Veterans' Affairs.

Mr. RENZI. Mr. Speaker, I am privileged to represent more Native Americans than any other congressman. Recently my good friend, the gentleman from New Mexico (Mr. UDALL), and I visited the Navajo Nation, the homeland of the Code Talkers, a distinct group of individuals that made signifi-

cant contributions to the security of our Nation in World War II.

It is deplorable to visit the Navajo Nation and see the conditions of their children, of their families, living in dilapidated housing. Therefore, Congress enacted legislation to establish a program to address this difficulty. What makes it harder is that Native Americans live on sovereign land and the ability to secure collateral makes it harder for loans to be made.

The program that was established by Congress to address this issue is scheduled to conclude at the end of this fiscal year. However, because we set a cap limiting the number of loans under this program, the Department of Veterans Affairs exceeded the limit earlier this year. H.R. 2595 would lift the caps and allow the Department to continue to process the backlog of new loan applications.

I am proud to be a cosponsor of H.R. 2595 and believe the program provides equal opportunity to all veterans, especially Native Americans, to become homeowners.

In October 2000 a joint study of the Department of Housing and Urban Development and the Department of Treasury found that ownership among Native Americans is among the lowest in the country at just 33 percent. We must hold true and honor our commitment to those who served the Nation and help Native American veterans enjoy the security of homeownership. This program has been successful in making homeownership a reality for Native American Indian veterans. For those who bravely fought to sustain this prosperous Nation, we should lift the barriers they face in homeownership.

I urge my colleagues to vote favorably in favor of H.R. 2595.

Mr. EVANS. Mr. Speaker, I yield 3 minutes to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, as an original cosponsor of this bill, I rise today to offer my strong support for the restoration of the Native American housing loan program. In the past, this program has benefited many of my constituents. Restoring it today will ensure that many more will benefit in the future.

Traditionally, veterans living on tribal land, including allotted land, were not eligible for the VA home loan guarantees. However, this program has allowed many Native American veterans who might otherwise have been unable to obtain suitable housing or acquire direct home loans to do just that.

In the 107th Congress, I introduced a bill to extend this program through fiscal year 2005. That bill was included in a bill that became Public Law 107-103. Language in the omnibus appropriations bill passed earlier this year caps the program at \$5 million. The loans of many Native American veterans have been cut off. As I speak, there are homes that were begun under this pro-

gram that remain half constructed. All over the Nation, Native American veterans trying to refinance their homes cannot do so because of this provision.

Additionally, those veterans who have had their loans approved for construction cannot get the money they were promised. By restoring this program, we are providing an opportunity for Native American veterans with existing loans, as well as additional deserving Native American veterans to get home loans.

Poverty, lack of economic opportunity, and a shortage of financing for decent affordable housing have created housing conditions on Native American lands that may only be described as deplorable.

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Almost one in three Native Americans living on a reservation is poor. Many Native Americans have honorably served our country in the Armed Forces. In fact, historically Native Americans have the highest record of service per capita of any ethnic group. Let us continue to help them by restoring this much-needed program.

In closing, I would like to thank Chairman SMITH, Ranking Member EVANS, and the staff of the Committee on Veterans' Affairs for their speedy work on this bill. This is an important piece of legislation. I urge my colleagues to support it.

Mr. EVANS. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii (Mr. CASE).

(Mr. CASE asked and was given permission to revise and extend his remarks.)

Mr. CASE. Mr. Speaker, amidst all of the disagreement and debate on this floor over things like war and deficits, this is a good-news story. I want to start some decades ago recognizing my political mentor, a former Member of this Chamber, my predecessor, Spark Matsunaga, a veteran himself, who went back and tried to determine whether the veterans home loan program, a successful program, was working for Native American veterans living on tribal or trust territory lands. The answer was a resounding "no." The reason was because those lands contained restraints on alienation that are not applicable to other lands. So, therefore, conventional mortgage practices were not working. My predecessor and my current Senator, DANIEL AKAKA, took up the cause and initiated the legislation which we are now addressing to provide for this program to be applied on trust territory lands, the lands of the indigenous peoples of our country, whether they be in Alaska, in North America or Hawaii or the Pacific Islands.

A very successful program arose, so successful that in the Pacific, in 300 loans granted under this program over the last 10 years, there has been one delinquency out of 300 programs. Three hundred programs, 100 paid in full, 200

being paid in full, one delinquency, a fantastic program that has accomplished its purpose. This is good news. This is good news because we made a mistake and we are coming back to correct it and we all know it. The administration deserves credit for this, the ranking member deserves credit, the Chair deserves credit, the appropriations committee deserves credit. What we are going to do is to take a program that has been successful and continue it. By the way, when you score this program, we are always talking about money, this program, if this bill goes through, will return \$1 million to the U.S. Treasury. That is how successful this is. We are not spending money; we are generating money from this program because of the low delinquency rates.

I thank everybody involved. I commend this bill to the Members and urge its expeditious passage.

Mr. EVANS. Mr. Speaker, I yield 4 minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I certainly want to thank the distinguished chairman of the Committee on Veterans' Affairs from New Jersey and our senior ranking member from Illinois for their leadership and for their sensitivity in bringing this legislation to the floor for consideration.

Mr. Speaker, as an original cosponsor of the original legislation that was offered 10 years ago, I think it is time that we no longer should call this legislation a pilot program. It has matured. I certainly want to urge my colleagues that we should increase not only the authorization as well as the funding levels for this important program.

I rise today in support of H.R. 2595, a bill to restore the operation of the Native American Veteran Housing Loan Program for fiscal year 2003. This program permits the Department of Veterans Affairs to provide direct home loans to Native American veterans who live not only on tribal lands but also on homestead lands and communal lands. Eligible native veterans can then use direct loan funding to purchase, construct or improve a home on Native American trust land. These loans may also be used simultaneously to purchase and improve a home or to refinance another VA direct loan.

This pilot program extends to Native Americans, native Hawaiians, and also to my constituents in American Samoa. As a result, this program has been crucial to providing American Samoan veterans the opportunity to build and own their own homes, an opportunity that would not otherwise be available to them. VA's annual report to Congress for fiscal year 2002 reports that over 62 loans have been closed; but for the 10-year period, hundreds of loans have been approved because of this program.

As I explained earlier, Mr. Speaker, for the benefit of my colleagues so we

can better appreciate this unique home loan program for our native veterans, the thousands of American Indian veterans who live in reservations, when they returned to their homes, they could not obtain a commercial home loan as you would someone who lived in a commercially owned property, a fee simple, living in reservations. The same is true with our native Hawaiian veterans who live in what is known as "homestead lands," in the same situation where commercial lending institutions would not lend us money to build homes under a veterans program. The same is also true with my own veterans who live on communal lands. This is a unique program. I am very, very happy that we are able to continue the funding levels but also more importantly we need to make sure that this program continues.

Mr. Speaker, the Native American Veteran Housing Loan Program has been successful in providing our native veterans the opportunity to build and own their own homes. It provides our native veterans the ability to continue to live in their own lands, to contribute to their communities, and to build a legacy to leave their families. This program needs increased authorization and funding in the years to come. I urge my colleagues to support this legislation.

Mr. EVANS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Guam (Mr. BORDALLO).

(Mr. BORDALLO asked and was given permission to revise and extend her remarks.)

Ms. BORDALLO. Mr. Speaker, when Congress authorized the Native American home loan bill in 1993, it recognized the poverty and the homelessness of veterans from the Pacific Islands. It recognized that those veterans needed special assistance to access the necessary financing to put a roof over their heads. Ten years later, the funding has expired, but the challenge remains the same.

Mr. Speaker, I understand that when the Department of Veterans Affairs shut down the lending program, they were on the verge of approving a loan to a Guam applicant. So I am pleased to join with my colleagues, Chairman SMITH and Ranking Member EVANS, in providing the funding authorization necessary to continue the program.

A noteworthy aspect of the Native American home loan bill is that it withholds a loan fee from applicants with a service-connected disability. Each time I meet with veterans in Guam and hear their descriptions of living with the effects of Agent Orange or a post-traumatic stress disorder, I am reminded that we have yet to repay the service that these men and women have given to our Nation. We need to provide adequate veterans benefits and services not just near where a military base or a VA processing center is but where the veterans are, places like the tribal lands of Colorado and the Chamorro land trust properties of Guam.

I hope that our action here today will bring attention to the good work of the program and increase the knowledge of the program amongst Native American communities.

Mr. EVANS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I just want to thank the gentleman from Illinois for his leadership on this and for working so cooperatively with us. I also thank the gentleman from Arizona (Mr. RENZI), the gentleman from New Mexico (Mr. UDALL), the gentleman from Hawaii (Mr. ABERCROMBIE), the gentleman from Hawaii (Mr. CASE), the gentlewoman from Guam (Mr. BORDALLO), the gentleman from Maine (Mr. MICHAUD), and the gentleman from American Samoa (Mr. FALEOMAVAEGA) for his cosponsorship of this legislation. I appreciate it very much and urge the body to adopt it.

Mr. FALEOMAVAEGA. Mr. Speaker, I would like to thank Chairman CHRIS SMITH and Ranking Member LANE EVANS for their support and diligent work regarding Native American issues. Today I rise in support of H.R. 2595, a bill to restore the operation of the Native American Veteran Housing Loan Program during Fiscal Year 2003. This pilot program permits the Department of Veterans Affairs to provide direct home loans to Native American veterans who live on tribal lands. Eligible native veterans can use direct loan funding to purchase, construct, or improve a home on Native American trust land. These loans may also be used to simultaneously purchase and improve a home or to refinance another VA direct loan.

This pilot program extends to Native Americans, Native Hawaiians and to my constituents in American Samoa. For the benefit of my colleagues and so that we can better appreciate this unique home loan program, I want to explain that most native veterans living on communal or tribal lands. This is true for American Indian veterans who live on reservation lands. The same is true of our Native Hawaiian veterans who live on what is known in Hawaii as Homestead lands. The same is also true with American Samoan veterans who live on communal lands which cannot be sold as commercial or as fee simple property.

Given the unique status of communal lands, thousands of native veterans have been denied loans by our commercial lending institutions and banks. However, with the creation of this pilot program, many of our native veterans are able to build and own their own homes and the VA reported that in 2002 it had closed on a total of 289 loans under the terms of this pilot program.

Recently, Public Law 108-7, Consolidated Appropriations Resolution, placed a cap of \$5 million on the amount of loans that could be approved under the program. But, at the time this law was enacted, VA had already exceeded this cap. As a result, VA is unable to make new loans for the remainder of the fiscal year. Because of this new cap, veterans are unable to complete construction on homes already in progress. This is unfair to our native veterans and it is imperative that Congress remedy this situation. H.R. 2595 will accomplish this. H.R.

2595 will reinstate the program retroactively and validate the loans which have already been made.

The Native American Veteran Housing Loan Program has been successful in providing our native veterans the opportunity to build and own their own homes. It provides our native veterans the ability to continue to live on their native lands, to contribute to their communities, and to build a legacy for their families. It is the responsibility of Congress to reinstate this important program, to recognize the contributions made by our native veterans to our Nation and to afford them the opportunity to participate and realize the American dream of owning their own homes.

This program needs increased authorization and funding in the years to come and I urge my colleagues to support this legislation.

Mr. ABERCROMBIE. Mr. Speaker, I rise in strong support of this bill to reinstate the Native American Veteran Housing Loan program.

I would like to thank the Chairman of the Committee on Veterans' Affairs, Mr. SMITH, the Ranking Member, Mr. EVANS, and the staff of the Committee on Veterans' Affairs for their work in crafting this much-needed remedy to the present situation. I would also like to thank Senator AKAKA for his leadership over the years on this issue. He and his staff have been tireless in their efforts to rectify this problem since it arose in May.

In 1992, the Native American Veterans Home Loan Equity Act was enacted to establish and implement a pilot program to make direct housing loans to aid Native American (Indian, Alaska or Hawaii native, or Pacific Islander) veterans in purchasing, constructing, or improving, dwellings on trust land. Almost 11 years later, the VA has closed several hundred loans, and the program is a resounding success.

Native Hawaiian veterans have greatly benefited from the loan program. Through the end of Fiscal Year 2002, 300 loans were closed throughout the Pacific. Of the 300 loans, about 215 were new construction loans, with the balance consisting of Interest Rate Reduction Loans. Although Hawaii has the highest loan volume, American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam have significant levels of activity. About 100 of the 300 loans have been paid in full and the other 200 are active and performing. Only one loan termination has occurred to date since 1992.

This year's dramatic increase in use of the program mirrors the national upswing in financing new construction and refinancing existing loans. Home ownership has long been a hallmark of financial growth and community stability, and it's encouraging to see so many vets in my own state enjoying this benefit. However, I deeply regret that more of our Native American veterans were unable to take advantage of the 40-year historic low financing rates available a mere two and a half months ago. The untimely halt to this past May cut off deserving veterans from this financial tool. Mr. Speaker, I hope that we can do better in the future to correct such problems before they cause inadvertent harm.

In the end, this measure is about equity. The Native American Veterans Direct Loan program exists to afford our Native American, Native Hawaiian, Alaskan Native, and Pacific Islander veterans on trust lands the same benefits available to the rest of our veterans com-

munity. We need to sustain this program—it's a matter of fairness.

I urge my colleagues to support this measure.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2595.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### HEALTH CARE FOR VETERANS OF PROJECT 112/PROJECT SHAD ACT OF 2003

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2433) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide veterans who participated in certain Department of Defense chemical and biological warfare testing to be provided health care for illness without requirement for proof of service-connection, as amended.

The Clerk read as follows:

H.R. 2433

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Health Care for Veterans of Project 112/Project SHAD Act of 2003".*

##### SEC. 2. PROVISION OF HEALTH CARE TO VETERANS WHO PARTICIPATED IN CERTAIN DEPARTMENT OF DEFENSE CHEMICAL AND BIOLOGICAL WARFARE TESTING.

*Section 1710(e) of title 38, United States Code, is amended—*

*(1) in paragraph (1), by adding at the end the following new subparagraph:*

*"(E) Subject to paragraphs (2) and (3), a veteran who participated in a test conducted by the Department of Defense Deseret Test Center as part of a program for chemical and biological warfare testing from 1962 through 1973 (including the program designated as 'Project Shipboard Hazard and Defense (SHAD)' and related land-based tests) is eligible for hospital care, medical services, and nursing home care under subsection (a)(2)(F) for any illness, notwithstanding that there is insufficient medical evidence to conclude that such illness is attributable to such testing."*

*(2) in paragraph (2)(B), by striking out "paragraph (1)(C) or (1)(D)" and inserting "subparagraph (C), (D), or (E) of paragraph (1)"; and*

*(3) in paragraph (3)—*

*(A) by striking "and" at the end of subparagraph (B);*

*(B) by striking the period at the end of subparagraph (C) and inserting "; and"; and*

*(C) by adding at the end the following new subparagraph:*

*"(D) in the case of care for a veteran described in paragraph (1)(E), after December 31, 2005."*

##### SEC. 3. IMPROVEMENTS TO THE RETENTION AND RECRUITMENT OF HEALTH CARE PROFESSIONALS.

*(a) PROMOTION STANDARDS FOR HEALTH CARE PERSONNEL.—Subsection (c) of 7403 of title 38,*

*United States Code, is amended by striking "Promotions" and inserting "Consistent with subsection (a) of section 7422 of this title, and notwithstanding subsection (b) of that section, promotions".*

*(b) PROMOTIONS FOR NURSES WHO DO NOT HAVE BACCALAUREATE DEGREES.—Such section is further amended by adding at the end the following new subsection:*

*"(h) In a case in which a registered nurse has accomplished the performance elements required for promotion to the next grade, the lack of a baccalaureate degree in nursing shall not be a bar to promotion to that grade, and in such a case the registered nurse shall not be denied a promotion on that basis."*

##### SEC. 4. ADDITIONAL PAY FOR SATURDAY TOURS OF DUTY FOR ADDITIONAL HEALTH CARE WORKERS IN THE VETERANS HEALTH ADMINISTRATION.

*(a) IN GENERAL.—Section 7454(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:*

*"(3) Employees appointed under section 7408 of this title shall be entitled to additional pay on the same basis as provided for nurses in section 7453(c) of this title."*

*(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.*

##### SEC. 5. COVERAGE OF EMPLOYEES OF VETERANS' CANTEEN SERVICE UNDER ADDITIONAL EMPLOYMENT LAWS.

*(a) COVERAGE.—Paragraph (5) of section 7802 of title 38, United States Code, is amended by inserting before the semicolon a period and the following: "An employee appointed under this section may be considered for appointment to a Department position in the competitive service in the same manner that a Department employee in the competitive service is considered for transfer to such position. An employee of the Service who is appointed to a Department position in the competitive service under the authority of the preceding sentence may count toward the time-in-service requirement for a career appointment in such position any previous period of employment in the Service".*

*(b) TECHNICAL AMENDMENTS.—Such section is further amended—*

*(1) by striking the semicolon at the end of each of paragraphs (1) through (10) and inserting a period;*

*(2) by striking "The Secretary" and all that follows through "(1) establish," and inserting "(a) LOCATIONS FOR CANTEENS.—The Secretary shall establish,";*

*(3) by redesignating paragraphs (2) through (11) as subsections (b) through (k), respectively, and by renumbering those subsections (as so redesignated) so as to be flush to the left margin;*

*(4) in subsection (b) (as so redesignated), by inserting "WAREHOUSES AND STORAGE DEPOTS.—The Secretary shall" before "establish";*

*(5) in subsection (c) (as so redesignated), by inserting "SPACE, BUILDINGS, AND STRUCTURES.—The Secretary shall" before "furnish";*

*(6) in subsection (d) (as so redesignated), by inserting "EQUIPMENT, SERVICES, AND UTILITIES.—The Secretary shall" before "transfer";*

*(7) in subsection (e) (as so redesignated and as amended by subsection (a)), by inserting "PERSONNEL.—The Secretary shall" before "employ";*

*(8) in subsection (f) (as so redesignated), by inserting "CONTRACTS AND AGREEMENTS.—The Secretary shall" before "make all";*

*(9) in subsection (g) (as so redesignated), by inserting "PRICES.—The Secretary shall" before "fix the";*

*(10) in subsection (h) (as so redesignated), by inserting "GIFTS AND DONATIONS.—The Secretary may" before "accept";*

*(11) in subsection (i) (as so redesignated), by inserting "RULES AND REGULATIONS.—The Secretary shall" before "make such";*

*(12) in subsection (j) (as so redesignated), by inserting "DELEGATION.—The Secretary may" before "delegate such"; and*